

# LITIGATION MATTERS 1 FEBRUARY TILL 2 MAY 2022

## CLASS 1 PROCEEDINGS – LAND AND ENVIRONMENT COURT

<b>MATTER</b>	<b>Anprisa Pty Ltd</b> 40-76 William Street, Leichhardt DA/2020/0501
<b>DESCRIPTION</b>	Adaptive reuse of, and alterations and additions to, an existing industrial warehouse and conversion into an architecturally designed residential flat building to accommodate 181 residential apartments above two levels of basement car parking.
<b>STATUS</b>	Listed for hearing. 6-10 June 2022

<b>MATTER</b>	<b>Anprisa Pty Ltd</b> 40-76 William Street, Leichhardt DA/2021/0437 Appeal 2021/228923
<b>DESCRIPTION</b>	Deemed refusal of DA/2021/0437 for a stage one concept application converting industrial warehouse into residential flat building.
<b>STATUS</b>	Listed for hearing. 6-10 June 2022

<b>MATTER</b>	<b>Nguyen Services Pty Ltd</b> 315-321 Illawarra Road, Marrickville DA/2019/00421
<b>DESCRIPTION</b>	Refusal of the demolition of existing improvements and construction of mixed use building.
<b>STATUS</b>	Listed for hearing. 28-29 July 2022

<b>MATTER</b>	<b>VL3 Pty Ltd</b> 1 Nelson Place, Petersham DA/2021/0625
<b>DESCRIPTION</b>	Deemed refusal of the demolition of all existing structures and the construction of a 5 storey boarding house comprising 23 rooms.
<b>STATUS</b>	Listed for hearing. 24 & 25 May 2022

<b>MATTER</b>	<b>Beeche Crawford &amp; Crowe Pty Ltd</b> 81 Palace Street, Petersham DA/2021/0459
<b>DESCRIPTION</b>	Deemed refusal for demolition of the existing structures on site and construction of a three storey 12 room boarding house.
<b>STATUS</b>	Listed for hearing. 14-15 July 2022

<b>MATTER</b>	<b>JY Crown Pty Ltd</b> 305-313 Parramatta Road, Leichhardt DA/2021/0727
<b>DESCRIPTION</b>	Appeal against deemed refusal of the demolition of existing structures and construction of mixed use development.
<b>STATUS</b>	Listed for hearing. 2-4 August 2022

<b>MATTER</b>	<b>Vicky Karatasas</b> 32 Carlisle Street, Leichhardt DA/2021/0878
<b>DESCRIPTION</b>	Deemed refusal for removal of existing fence, new front fence and removal of existing tree.
<b>STATUS</b>	Listed for hearing. 29-30 June 2022

<b>MATTER</b>	<b>Mod Urban Pty Ltd</b> 69 Albermarle Street, Newtown DA/2021/0482
<b>DESCRIPTION</b>	Actual refusal of demolition of garage and construction of garage and studio above.
<b>STATUS</b>	Judgement on 3 May 2022

<b>MATTER</b>	<b>Oliver &amp; Pilar Workman</b> 13-15 Northwood Street, Camperdown DA/2021/0707 Appeal 2021/325186
<b>DESCRIPTION</b>	Deemed refusal concerning demolition of all structures and construction of basement and new dwelling.
<b>STATUS</b>	s34 conciliation conference adjourned. 10 May 2022

<b>MATTER</b>	<b>Mateusz Jan Wilk</b> 36 Moore Street, Rozelle DA/2018/639
<b>DESCRIPTION</b>	Application to modify the consent granted by court for ground and first floor alterations and additions to an existing dwelling.
<b>STATUS</b>	Listed for hearing. 2 August 2022

<b>MATTER</b>	<b>Balmain Shipwrights Pty Ltd</b> 358 Darling Street, Balmain DA/2021/0757
<b>DESCRIPTION</b>	Deemed refusal concerning alterations and additions to existing dwelling including a new awning to the front of the site and new two-storey residence above a garage at the rear of the site.
<b>STATUS</b>	Listed for hearing. 14-15 June 2022

<b>MATTER</b>	<b>Efi Kremetis</b> 214 Parramatta Road, Stanmore DC Order
<b>DESCRIPTION</b>	Challenge against a Development Control Order concerning the unauthorised use of the property as a boarding house.
<b>STATUS</b>	Listed for s34 conciliatoin conference. 14 June 2022

<b>MATTER</b>	<b>Robert Hambling Films Pty Ltd</b> 2 Bartlett Street, Summer Hill EPA/2021/0308
<b>DESCRIPTION</b>	Appeal against Development Control Order for construction of deck and studio.
<b>STATUS</b>	s34 conciliation conference adjourned. 13 May 2022

<b>MATTER</b>	<b>GFM Investment Group Pty Ltd</b> Precinct 75, St Peters DA/2021/0799
<b>DESCRIPTION</b>	Deemed refusal seeking consent for partial demolition of existing buildings, tree removal, site establishment works, alterations to the existing north-south lane between Edith Street and Mary Street for temporary service and tenant vehicle access, enablin
<b>STATUS</b>	Listed for s34 conciliation conference. 18 May 2022

<b>MATTER</b>	<b>GFM Investment Group Pty Ltd</b> Precinct 75, St Peters DA/2021/0800
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<b>DESCRIPTION</b>	Deemed refusal seeking consent for site preparation, demolition, excavation, remediation works construction of mixed-use development comprising commercial/light industrial, build-to-rent residential housing and community facilities involving construction
<b>STATUS</b>	Listed for s34 conciliation conference. 18 May 2022

<b>MATTER</b>	<b>Kenton &amp; Megan Joyce</b> 58 Beauchamp Street, Marricville DA/2021/0940 Appeal 2022/011566
<b>DESCRIPTION</b>	Appeal against refusal of the demolition of part of an existing dwelling/garage, extend the existing garage structure and construction of alterations to the dwelling, construct a detached 2 storey studio to the rear with new swimming pool.
<b>STATUS</b>	Directions Hearing. 25 May 2022

<b>MATTER</b>	<b>SSTG Property Pty Ltd</b> 180 Darling Street, Balmain DA/2021/1170
<b>DESCRIPTION</b>	Deemed refusal seeking consent for the demolition of existing structures and construction of 6 multi-dwelling housing dwellings as in-fill affordable housing with basement car parking including remediation.
<b>STATUS</b>	Listed for s34 conciliation conference. 9 May 2022

<b>MATTER</b>	<b>Michael Nader</b> 72 Yelverton Street, Sydenham DA/2021/0721
<b>DESCRIPTION</b>	Appeal against refusal of a subdivision of land from 1 lot into 2 lots and construction of a dwelling on each lot.
<b>STATUS</b>	Listed for s34AA. 31 May - 1 June 2022

<b>MATTER</b>	<b>Anabia Pty Ltd</b> 32-72 Alice Street, Newtown DA/2021/1315
<b>DESCRIPTION</b>	Deemed refusal for the use of the vacant basement comprising lots 2 & 3 in DP1261043 as a gym, and associated car parking in Pt 13 of SP 88894.
<b>STATUS</b>	Listed for s34 conciliation conference. 16 June 2022

<b>MATTER</b>	<b>Hunter's Hill Ventures Pty Ltd</b> 308 Darling Street, Balmain DA/2021/0967
<b>DESCRIPTION</b>	Deemed refusal for the substantial demolition of the existing two storey building and construction of a three storey mixed use commercial building comprising two commercial tenancies at ground level, an entertainment facility (live music venue and associa
<b>STATUS</b>	Listed for s34 conciliation conference. 24 June 2022

<b>MATTER</b>	<b>200 Marion Properties Pty Ltd</b> 194-202 Marion Street, Leichhardt DA/2021/0110
<b>DESCRIPTION</b>	Appeal against refusal of demolition of all existing structures and redevelopment of the site to contain a four (4) storey mixed use development with basement and lower ground parking, retails shops and 26 apartments, landscaping and associated site works
<b>STATUS</b>	Listed for s34 conciliation conference. 7 June 2022

<b>MATTER</b>	<b>Benson McCormack Pty Ltd</b> 265-273 Illawarra Road, Marrickville DA/2017/00349
<b>DESCRIPTION</b>	Modification application seeking approval for the modification of 2018 Court granted consent.
<b>STATUS</b>	Listed for s34 conciliation conference. 17 May 2022

<b>MATTER</b>	<b>Chahrazad Rahe</b> 38 Denison Street, Rozelle DA/2021/0014 Appeal 2022/078262
<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing dwelling, construction of two storey dwelling house above basement garage and pool.
<b>STATUS</b>	Listed for hearing. 6-7 July 2022

<b>MATTER</b>	<b>Belinda Ainsworth</b> 115 Short Street, Birchgrove DA/2021/0841
<b>DESCRIPTION</b>	Appeal against refusal of the demolition of existing dwelling and construction of a new multi-level dwelling, carport to rear and associated works, including tree removal.
<b>STATUS</b>	Listed for hearing. 30 June - 1 July 2022

<b>MATTER</b>	<b>Robert &amp; Kathryn Morrison</b> 39 Short Street, Birchgrove DA/202/0603
<b>DESCRIPTION</b>	Appeal against refusal for alterations and additions to the existing dwelling house and associated works, including tree removal and new front fence (including review application REV/2021/0023).
<b>STATUS</b>	Listed for hearing. 14-15 July 2022

<b>MATTER</b>	<b>Victor Sahade</b> 95 Ramsay Street, Haberfield MOD/2022/0008
<b>DESCRIPTION</b>	Deemed refusal of a modification application of a consent for the operation of a carwash and associated structures.
<b>STATUS</b>	Listed for a s34 conciliation conference. 4 July 2022

<b>MATTER</b>	<b>Bruce Thelfro</b> 7 Hercules Street, Dulwich Hill DA/2021/0949
<b>DESCRIPTION</b>	Appeal against refusal of subdivision into 2 torrens title lots.
<b>STATUS</b>	Listed for hearing. 26-27 July 2022

<b>MATTER</b>	<b>Corvas Pty Ltd</b> 1-5 Chester Street, Annandale DA/2021/0518
<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing structures, construction of a 5 storey mixed use building containing ground floor and lower ground floor commercial tenancies, three levels of student accommodation comprising 60 self-contained studio apart
<b>STATUS</b>	Listed for s34 conciliation conference. 13 July 2022

<b>MATTER</b>	<b>Exodus Foundation</b> 180 Liverpool Road, Ashfield
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	BC/2021/0087
<b>DESCRIPTION</b>	Appeal relates to a refusal of a Building Information Certificate concerning the construction of a steel awning.
<b>STATUS</b>	Listed for mention. 6 May 2022

<b>MATTER</b>	<b>Romana Rocchi</b> 22 England Avenue, Marrickville DA/2021/1220 Appeal 2022/103772
<b>DESCRIPTION</b>	Deemed refusal of alterations and additions to the existing dwelling house, including a two-storey addition to the rear of the dwelling, tree removal, landscaping and new in-ground swimming pool.
<b>STATUS</b>	Directions Hearing. 5 May 2022

<b>MATTER</b>	<b>Kathryn Young</b> 323 King Street, Newtown DA/2020/0839
<b>DESCRIPTION</b>	Appeal against refusal of alterations and additions, change in hours of operation and an increase in patron capacity.
<b>STATUS</b>	Directions Hearing. 12 May 2022

<b>MATTER</b>	<b>Wallace Chu &amp; Sylvia Attard</b> 307 Nelson Street, Annandale EPA/2021/0229
<b>DESCRIPTION</b>	Appeal against Development Control Order in respect of the demolition of a house in a conservation area. <b>Closed</b>
<b>STATUS</b>	Applicant discontinues the Appeal. 17 March 2022

<b>MATTER</b>	<b>Kent Geeves</b> 50-52 Wells Street, Newtown MOD/2021/0297
<b>DESCRIPTION</b>	Deemed refusal of a modification application. The proposal also seeks to include a garage within the front dwelling façade. <b>Closed</b>
<b>STATUS</b>	Listed for hearing on 17 March 2022, adjourned to 24 March 2022. Hearing stood over to 29 March 2022. Appeal Upheld. Agreement reached on the basis that garage is to be deleted. 1 April 2022

<b>MATTER</b>	<b>193 Liverpool Road Pty Ltd</b> 193 Liverpool Road, Ashfield DA/2016/65
<b>DESCRIPTION</b>	Application to modify the consent granted by Court on 1 March 2017 in 2016/278247 as modified by the Court on 5 March 2020 in 2018/393484. <b>Closed</b>
<b>STATUS</b>	Appeal Dismissed. 12 April 2022

<b>MATTER</b>	<b>TR Investments Pty Ltd</b> 378 Liverpool Road, Ashfield DA/2021/0928
<b>DESCRIPTION</b>	Deemed refusal concerning construction of a part six and seven storey mixed use building to be constructed over two levels of basement parking. <b>Closed</b>

<b>STATUS</b>	s34 Agreement with Conditions - Upheld. 12-13 April 2022
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<b>MATTER</b>	<b>Gregory Baker</b> 27 The Boulevarde, Lilyfield DA/2021/0192
<b>DESCRIPTION</b>	Refusal relating to the construction of a two storey detached dual occupancy including a strata subdivision. <b>Closed</b>
<b>STATUS</b>	s34 Agreement with Conditions - Upheld. 19 April 2022

<b>MATTER</b>	<b>Lo Brothers Company Pty Limited</b> 34-36 Lackey Street, Summer Hill DA/2021/0182 Appeal 2021/165920
<b>DESCRIPTION</b>	Refusal of the demolition of existing building and construction of a 3-storey mixed use development containing ground floor retail tenancy, car parking area and 8 residential dwellings above. <b>Closed</b>
<b>STATUS</b>	Appeal Upheld. Consent is granted subject to Conditions & amended plans. 7 March 2022

<b>MATTER</b>	<b>Peter Tamvakeras</b> 50-52 Warren Road, Marrickville DA/2021/0066
<b>DESCRIPTION</b>	Appeal against deemed refusal of demolition of existing structures and construction of a four-storey boarding house with basement parking. <b>Closed</b>
<b>STATUS</b>	s34 agreement filed 23 December 2021. Appeal Upheld. Consent is granted subject to Conditions & amended plans. 24 March 2022

<b>MATTER</b>	<b>Warehouse on Park Pty Ltd</b> 17 Federation Road, Camperdown DA/2021/0001
<b>DESCRIPTION</b>	Appeal against refusal of development application for the adaptive reuse of the existing three-storey warehouse building as a residential building containing 31 residential units with on-site car parking for 7 vehicles. <b>Closed</b>
<b>STATUS</b>	Appeal Upheld. 22 February 2022

<b>MATTER</b>	<b>C-Corp Nominees Pty Ltd</b> 5 Bruce Street, Ashfield DA/2020/0691
<b>DESCRIPTION</b>	Appeal against refusal for demolition of the existing building and construction of a four-storey residential flat building. <b>Closed</b>
<b>STATUS</b>	Appeal dismissed. 14 February 2022

<b>MATTER</b>	<b>Emag Apartments Pty Ltd</b> 2-18 Station Street, Marrickville DA/2020/0578
<b>DESCRIPTION</b>	Demolition of existing structures and construction of a mixed-use development comprising a boarding house and ground floor commercial tenancy with basement parking. <b>Closed</b>
<b>STATUS</b>	Appeal Upheld subject to conditions of consent. 1 February 2022

<b>MATTER</b>	<b>Sifth Grade Pty Ltd</b> 139 Catherine Street, Leichhardt DA/2020/0165
<b>DESCRIPTION</b>	Appeal against refusal of alterations and additions to heritage building. <b>Closed</b>
<b>STATUS</b>	s34 Agreement filed 9 February 2022. Appeal Upheld to rely on amended plans. 17 February 2022

<b>MATTER</b>	<b>Belle Living Pty Ltd</b> 73-75 Beattie Street, Balmain DA/2021/0521
<b>DESCRIPTION</b>	Appeal against refusal of adaptive reuse of existing buildings and additions to provide six dwellings and associated works. <b>Closed</b>
<b>STATUS</b>	s34 Agreement. Appeal Upheld. 10 February 2022

<b>MATTER</b>	<b>Frank Bilotta</b> 93 Louisa Road, Birchgrove MOD/2020/0231 Appeal 2021/156562
<b>DESCRIPTION</b>	Modification of Development Consent D/2018/25 which approved demolition and construction of new dwelling-house with parking and remediation of the site. Modification seeks to amend the size and height of the lift overrun. <b>Closed</b>
<b>STATUS</b>	Appeal Dismissed. 9 February 2022

<b>MATTER</b>	<b>Frank Bilotta</b> 93 Louisa Road, Birchgrove MOD/2021/0320
<b>DESCRIPTION</b>	Appeal on MOD/2021/0320 <b>Closed</b>
<b>STATUS</b>	As above.

## OTHER CLASS PROCEEDINGS – LAND AND ENVIRONMENT COURT

<b>MATTER</b>	<b>Franco &amp; Barbara Bilotta</b> 93 Louisa Road, Birchgrove
<b>DESCRIPTION</b>	Class 4 Civil enforcement proceedings relating to the removal of unauthorised works at a dwelling. Refer to Class 1 Appeals
<b>STATUS</b>	Listed for further mention. 8 July 2022

<b>MATTER</b>	<b>Haberfield Nominees NSW Pty Ltd</b> 95 Ramsay Street, Haberfield
<b>DESCRIPTION</b>	Class 4 civil enforcement proceedings relating to the demolition and removal of unauthorised structures and signs.
<b>STATUS</b>	Directions hearing. 27 May 2022

<b>MATTER</b>	<b>Balmain Rentals Pty Ltd &amp; Dewkelp Pty Ltd</b> 89 Fitzroy Street, Marrickville
<b>DESCRIPTION</b>	Class 5 proceedings relate to contempt of court where the Respondents have been charged with breaching Court Orders prohibiting the selling of cars at the property. <b>Closed</b>
<b>STATUS</b>	Guilty pleas entered. Sentenced. 15 March 2022

## LOCAL COURT MATTERS – PROSECUTIONS & CIVIL MATTERS

<b>MATTER</b>	<b>Action Tree Management</b> 126 Crystal Street, Petersham Appeal 2020/343912
<b>DESCRIPTION</b>	Development without development consent - class 1a of 10 building - Corporation - removal of a tree.
<b>STATUS</b>	Defendant enters plea of guilty. Reserved Judgement. 7 September 2022

<b>MATTER</b>	<b>Haberfield Nominees NSW Pty Ltd</b> 95 Ramsay Street, Haberfield
<b>DESCRIPTION</b>	Breach of development consent concerning a carwash. Court elected Penalty Infringement Notice. Plea of not guilty.
<b>STATUS</b>	Listed for hearing. 15 August 2022

<b>MATTER</b>	<b>David Sikais</b> 95a Unwins Bridge Road, Tempe
<b>DESCRIPTION</b>	Dog attack which caused injury to a pedestrian.
<b>STATUS</b>	Listed for plea/mention. 3 May 2022

<b>MATTER</b>	<b>Samir Hodzic</b> 28 Empire Street, Haberfield
<b>DESCRIPTION</b>	Non Compliance - Development Control Order EPA/2020/0408.
<b>STATUS</b>	Listed for further mention/plea. 12 May 2022

<b>MATTER</b>	<b>Chao Qiao</b> 85 Northumberland Avenue, Stanmore PIN 3235119169
<b>DESCRIPTION</b>	Court election of a penalty infringement notice issued for the unauthorised pruning of a street tree.
<b>STATUS</b>	Listed for plea/mention. 9 May 2022

<b>MATTER</b>	<b>Evangelia Mavridis</b> 135 Mullens Stree, Rozelle
<b>DESCRIPTION</b>	Failure to copmny with an Order to make safe a building.
<b>STATUS</b>	Listed for plea/mention 12 May 2022